

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 464 be amended to read as follows:

- 1 Page 6, between lines 11 and 12, begin a new paragraph and insert:
- 2 "SECTION 5. IC 6-1.1-21.2-12, AS ADDED BY P.L.192-2002(ss),
- 3 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 UPON PASSAGE]: Sec. 12. (a) **Except as provided in subsections**
- 5 **(c)(2) and (e)**, a tax is imposed each year on all taxable property in the
- 6 district in which the governing body exercises jurisdiction.
- 7 (b) Except as provided in subsections (c), ~~and (d)~~, **and (f)**, ~~the a~~ tax
- 8 imposed under ~~this section~~ **subsection (a)** shall be automatically
- 9 imposed at a rate sufficient to generate the tax increment replacement
- 10 amount determined under section 11(b) of this chapter for that year.
- 11 (c) The legislative body of the unit that established the district may:
- 12 (1) reduce the amount of ~~the a~~ tax to be levied under ~~this section;~~
- 13 **or subsection (a) or (e);**
- 14 (2) determine that no tax should be levied under this section;
- 15 **(3) determine that a tax should be levied under subsection (e)**
- 16 **instead of a tax being imposed under subsection (a); or**
- 17 **(4) determine that a combination of taxes should be levied**
- 18 **under subsection (f) instead of a tax being imposed solely**
- 19 **under either subsection (a) or (e).**
- 20 (d) This subsection applies to a district in which the total assessed
- 21 value of all allocation areas in the district is greater than ten percent
- 22 (10%) of the total assessed value of the district. Except as provided in
- 23 section 14(d) of this chapter, a tax levy imposed under ~~this section~~
- 24 **subsection (a)** may not exceed the lesser of:

(1) the tax increment replacement amount; or
 (2) the amount that will result from the imposition of a rate for the tax levy that the department of local government finance estimates will cause the total tax rate in the district to be one hundred ten percent (110%) of the rate that would apply if the tax levy authorized by ~~this chapter~~ **subsection (a)** were not imposed for the year.

(e) If the legislative body of the unit that established the district determines that a tax should be levied under this subsection instead of a tax being imposed under subsection (a), the legislative body may impose a tax each year on all taxable property in each allocation area located in the district. Unless the amount of a tax to be levied under this subsection is reduced under subsection (c), a tax imposed under this subsection shall be imposed at a rate sufficient to generate the tax increment replacement amount determined under section 11(b) of this chapter for that year.

(f) If the legislative body of the unit that established the district determines that a combination of taxes should be levied under this subsection instead of a tax being imposed solely under either subsection (a) or (e), the sum of the tax levies imposed upon:

- (1) all taxable property in the district in which the governing body exercises jurisdiction; and**
- (2) all taxable property in each allocation area located in the district;**

may not exceed the tax increment replacement amount determined under section 11(b) of this chapter for that year."

Renumber all SECTIONS consecutively.

(Reference is to ESB 464 as printed March 21, 2003.)

Representative Thompson